

REMARKS

Upon entry of this amendment, Claims 1-13, 21 and 25-29 will be pending in the present application. Claims 14-20, 22-24 and 30-45 have been previously cancelled.

Claim 1 has been amended to more clearly define the invention that Applicants deem as theirs. Support for amended claim 1 can be found in the specification at, e.g., [0042] of the corresponding published specification (US 2006/0183791 A1). No new matter has been added.

Claims Are Novel

The Office has rejected claims 1, 3, 6-9, 11-13, 21, 25-27, and 29, under 35 U.S.C. §102(b) for allegedly being anticipated by Yamada et al. (WO 2001/68586), and more specifically, by Example 92 therein. Applicants traverse and respectfully request reconsideration of the rejection.

In order to anticipate, the prior art must teach each and every aspect of the claimed invention. However, Yamada et al. does not teach each and every aspect of the present invention. For example, amended claim 1 does not provide for a fluorene group (a system containing 13 carbon ring atoms) at R³. Though R³ may be aryl, the present invention's aryl definition clearly does not include fluorene. As defined, aryl refers to a 10-carbon maximum optionally substituted aromatic system, which may include a hetero atom. See [0739] of the published application. Even when optionally substituted, the aryl group forms at best an 8-membered ring system since "...two adjacent substituents may together with the aromatic group form a 5-8 membered ring..." *Id.*

Consequently, the aryl group of R³ cannot be the fluorene group of Yamada et al.'s Example 92. Therefore, because Yamada et al. does not teach each and every aspect of the compounds of present invention, it does not anticipate the present invention. Accordingly, the present invention is novel.

Amended claim 1

Amended claim 1 more clearly define the invention that Applicants deem as theirs in view of Example 92 of WO01/07020, which has been disclosed to the Office. WO01/07020 A1 was incorrectly cited in the information disclosure statement filed September 20, 2005 when a

copy of WO01/07020 A2 was submitted; however, WO01/07020 A2 was properly cited in the supplemental disclosure statement, filed March 28, 2007.

No other fee but the fee for the petitioned 2-months extension of time is believed due. However, the Commissioner is hereby authorized to charge any fee or underpayment thereof, or credit any overpayment, to deposit account no. **503201**.

Early reconsideration and allowance is respectfully requested. The Office is invited to contact the undersigned if an interview would facilitate allowance of the claims.

Respectfully submitted,

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